IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

Bail Appl..No. 2051 of 2007()

CC.190/2001 of J.M.F.C., MANNARKAD
.....

PETITIONER:

NAUFEL, S/O HAMZA,
THAZHATHETHIL HOUSE, 'CHERUPULASSERY,
PALAKKAD DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENT:

THE STATE OF KERALA, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2051/2007

Dated this 9th day of April, 2007

O R D E R

The petitioner, who is the fourth accused in Crime No.158/1999 of Agaly Police Station for offences punishable under Sections 457 and 380 IPC read with Section 34 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.190/2001 on the file of the J.F.C.M., Mannarkkadu, non bailable warrants of arrest are pending against the petitioner. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail.

3. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after examining

the explanation offered by the petitioner for his previous non appearance.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs